



State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2002-38**

October 2, 2002

Ruth E Pheeneey
Po Box 894
Wolfeboro, NH 03894

RE: DES Wetlands File #2000-01295 Diamond Cove Way, Wolfeboro

Dear Ms. Pheeneey:

On August 2, 2002, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Wolfeboro Tax Map 228 as Lot 7 (the "Property"). During the summer of 2002, DES personnel inspected permitted lakeshore projects in Wolfeboro. The purpose of the inspection was to determine compliance with RSA 482-A and permit #2000-01295 issued on March 27, 2001.

During the inspection the following deficiencies were documented:

1. The boathouse was not located in accordance with the approved plan prepared by Lakeshore Construction of Wolfeboro, Inc., dated February 21, 2001 and received by the Department on February 26, 2001.

In response, you are requested to take the following actions:

1. Within 45 days of receipt of this Letter of Deficiency, submit an as-built plan of the boathouse showing its location relative to the normal high water line (elevation 504.32 ft).

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Jeffrey Blecharczyk, Shoreline Specialist
Wetlands Bureau
Department of Environmental Services
6 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact me at (603) 271-2147.

Sincerely,

COPY

Mary Ann Tilton
Senior Enforcement Officer
Wetlands Bureau

CERTIFIED MAIL : 7099 3400 0003 0688 9651

cc: Rene Pelletier, Manager, Land Resources Management Program
Gretchen Rule, Administrator, DES Legal Unit ✓
Mark Harbaugh, DES Enforcement Attorney
Wolfeboro Conservation Commission
Wolfeboro Board of Selectmen
David Killoy, USACOE